

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MEMORANDUM AND ORDER

This matter is before the Court on defendant Irven L. White's Motion to Dismiss Count One [51].

All pretrial motions were referred to United States Magistrate John M. Bodenhausen under 28 U.S.C. § 636(b). Judge Bodenhausen considered the motion based on the written record and the arguments of the parties. He then filed a Report and Recommendation on the motion, and recommended that it be denied. No party has objected to the recommended disposition of this motion. I have reviewed the motion, response, the evidentiary hearing and I believe Judge Bodenhausen's reasoning and conclusions are entirely correct. As there are no objections to Judge Bodenhausen's recommendation, I will adopt and sustain the thorough reasoning of Magistrate Judge Bodenhausen and will deny the motion to Dismiss Count One.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [55] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED Irven L. White's Motion to Dismiss Count One [51] is **DENIED**.

IT IS FURTHER ORDERED that this matter is set for a **Final Pretrial and Frye Hearing** on **Thursday, June 13, 2019 at 3:00 p.m.** in Courtroom 14-South.

IT IS FURTHER ORDERED that the **jury trial** in this matter remains set for **Monday, June 17, 2019 at 8:30 a.m.** in Courtroom 14-South.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 3rd day of June, 2019.